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CONTACT: Sue Walitsky 202-224-4524 or 202-320-0819 cell

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STATEMENT BY U.S. SENATOR BENJAMIN L. CARDIN ON THE SUPREME COURT RULING BOUMEDIENE v. BUSH

Bush Handling of GTMO Detainees Rejected Again

Washington, DC – U.S. Senator Benjamin L. Cardin (D-MD), a member of the Senate Judiciary Committee and Co-Chair of the U.S. Commission on Security and Cooperation in Europe (U.S. Helsinki Commission) released the following statement in response to the Supreme Court Ruling in Boumediene v. Bush:

“I commend the majority of the Supreme Court that voted 5-4 to reject, once again, the Bush Administration’s unsound detention policies, which hold accused terrorists without trial or charge indefinitely for years. Part of America’s strength as a nation is our respect for the rule of law and the understanding that laws cannot be pushed aside easily. I agree with Justice Kennedy’s majority opinion that ‘the laws and Constitution are designed to survive, and remain in force, in extraordinary times.’ The Supreme Court has inserted an important check and balance on the Bush Administration’s war on terrorism policies. I hope that the Administration will now work cooperatively with Congress, the courts, and our international allies to reexamine our current trial procedures in Guantanamo Bay.

“In 2006, I voted against the Military Commissions Act (MCA) as a member of the House of Representatives. At the time, I stated that I believed it was not sound legislation, and I thought it was susceptible to challenge in the courts. We should be bringing terrorist suspects to justice quickly, but that system must meet the fundamental and basic rule of law standards that Americans have a right to expect. We would expect other nations to use a system that provides no less protection for Americans that are accused of committing crimes abroad and are called before foreign courts.

“Last week the Senate Judiciary Committee held a hearing on how to handle detainees within our existing justice system, and I am hopeful that the Administration will work with the Congress and the courts to ensure that we try accused terrorists and detainees swiftly, according to the rule of law. Next month the U.S. Helsinki Commission will hold a hearing to review the *Boumediene* decision and examine how other countries have successfully tried, convicted, and sentenced accused terrorists.

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